

REMARKS

Claims 1 through 18 continue to be under consideration.

New claims 19 through 28 are being introduced.

New claim 19 is based on Figs. 1, 2, and 4B.

New claim 20 is based on Fig. 2 and the specification, lines 104 to 111.

New claim 21 is based on Fig. 2.

New claim 22 is based on the specification, lines 137 through 139.

New claim 23 is based on claim 13 and the specification, lines 129 to 132 and Fig. 3.

New claim 24 is based on the specification, lines 142 to 151 and Fig. 4A.

New claim 25 is based on the specification, lines 142 to 151 and Fig. 4A.

New claim 26 is based on the specification, lines 151 to 155 and Fig. 4B.

New claim 27 is based on Figs. 1 to 3 and 4A, 4B.

New claim 28 is based on Figs. 1 to 3 and 4A, 4B.

New claim 29 is based on Figs. 1 to 3 and 4A, 4B.

New claim 30 is based on Figs. 1 to 3 and 4A, 4B.

New claim 31 is based on Figs. 1 to 3 and 4A, 4B.

Claim Rejections - 35 USC § 102

3. Claims 1, 3, 7, 9 and 11 stand rejected under 35 U.S.C. 102(b) as being anticipated by Lampke, US Patent No. 2,808,749.

Lampke discloses all the limitations of claims 1, 3, 7, 9 and 11, i.e., power wrench comprising a handle containing a motor: a ratchet extension (41); a ratchet extension shaft 955); and a ratchet head (1).

Claims 12 to 26 require a presence of an air drive motor. The reference Lampke teaches an electrical motor.

Regarding claim 3, wherein the extension and shaft are removable.

Regarding claims 7 and 9, wherein the heads and the handle are removable, and the extension and the shaft are "fixedly" attached to the handle and the head respectively (fixedly is considered as a fixed attachment and not "unitary").

4. Claims 1, 3, 5, 7, 9 and 11 (as best understood) are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant's Admitted Prior Art (AAPA).

As admitted by the Applicant, lines 135 and 136, power ratchet wrench extensions as shown in Fig. 3 are old, thus meeting the claims limitations as explained above.

Applicant respectfully disagrees. Applicant states in lines 135 and 136: "Fig. 3 illustrates a slot/tang drive shaft engagement configuration which is one of several used in existing air ratchets." Thus the applicant clearly does not state that power wrench extensions as shown in Fig. 3 are old, but applicant only states that "Fig. 3 illustrates a slot/tang drive shaft engagement configuration", whatever be meant by "slot/tang drive shaft engagement configuration". Since no clear "slot/tang engagement configuration" is shown in Fig. 3, the whole statement appears not to make much sense. Applicant respectfully requests the Examiner's permission to cancel the questionable statement in lines 135 and 136 from the application, since the statement is not clear.

5. Claims 1 and 11 stand rejected under 35 U.S.C. 102(b) as being clearly anticipated by D'Haem et al., US Patent No. 4,791,836

D' Haem et al. clearly anticipates the above claims, e.g., Fig. 2.

Applicant respectfully disagrees. The reference D'Haem fails to teach a ratchet extension and/or a ratchet extension shaft. For example, the element 16 of the reference D'Haem is a motor crankshaft and not a ratchet extension shaft.

6. Claims 1, 3, 7, 9 and 11 stand rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hendrickson, US Patent No. 3,430,510.

Hendrickson clearly anticipates the above claims, e.g., Figs. 2 and 5.

Applicant respectfully traverses. Element 54 of the reference Hendrickson is a prime mover output shaft (column 4, line 53). Consequently it is presumed that the Office Action relates the prime mover output shaft to the applicant's ratchet extension shaft. However all claims of the applicant require a presence of a ratchet extension, which is clearly absent from the reference Hendrickson. Consequently all claims define the present invention over the reference Hendrickson.

7. Claims 1, 3, 7, 9 and 11 (as best understood) stand rejected under 35 U.S.C. 102(b) as being anticipated by Pijanowski, US Patent No.5,967,002.

Pijanowski anticipates the above claims as best understood, i.e., handle (23); a head removable from the handle, an extension and an extension shaft (23).

The reference Pijanowski is respectfully traversed. The reference teaches a handle 23 (column 4, line 47). Applicant is unable to find "an extension shaft 23" in the reference Pijanowski. If the element 23 of Pijanowski is to present a (ratchet) extension shaft, it would be necessary to transfer rotary power. No rotary power transfer is seen associated with element 23 of the Pijanowski reference.

8. Claims 1, 3, 5, 7, 9 and 11 stand rejected under 35 U.S.C. 102(b) as being anticipated by Frenkel (5,709,136).

Frenkel discloses all the limitations of claims 1, 3, 5, 7, 9 and 11, i.e., power wrench comprising a handle containing a motor; ratchet extensions (14) (14'); ratchet extension shafts (34); and a ratchet head (12).

Applicant respectfully disagrees. Claims 12 to 28 require that the ratchet extension shaft is only supported at the first end and at the second end and not otherwise supported. The reference Frenkel teaches in column 3, lines 46 to 48: "Mounted on bearings 32 in the bore 30 is an elongated rotatable drive shaft 34." Thus in contrast to the requirement of claims 12 to 28 that the ratchet extension shaft be only supported at its ends and otherwise unsupported, the reference Frenkel teaches to support the drive shaft 34 by bearings 32.

Regarding claim 3, wherein the extension and shaft are removable.

Applicant is amending claim 3 to require that the ratchet extension and the ratchet extension shaft are separately removable, a feature not found in the Frenkel reference.

Regarding claim 5, plurality of extensions and shafts.

Regarding claims 7 and 9, wherein the heads and the handle are removable, and the extension and the shaft are "fixedly" attached to the handle and the head respectively.

Applicant respectfully submits that claim 12 requires "a drive tang attached to the second end of the ratchet extension shaft;". No drive tang attached to the second end of the ratchet extension shaft is seen in the Frenkel reference.

The Office Action refers to Claim Rejections - 35 USC § 103.

10. Claims 2, 4, 8 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over anyone of Lampke. AAPA. D' Haem et al.. Hendrickson and Pijanowski.

Each of the above mentioned prior art meets the limitations of the above claims except for disclosing an extension and a shaft having a length between 6 to thirty inches. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use an extension and a corresponding shaft having a length of approximately 6-30", since it has been held that changing shape, dependent on work-piece parameters, involves only routine skill in the art. *In re Stevens*, 101 US PQ 284(CCPA1954).

Applicant disagrees. The references recited did not have the motivation to teach such long ratchet extensions. The long ratchet extensions of the present invention are constructed in particular to work with present day automotive technology. Routine skill in the art does not led to a completely new class of devices.

It is urged in addition that the present invention involves more than a changing of shape.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Frenkel.

Frenkel meets all of the limitations of claims 6, including plurality of extensions for reaching remote zones of varying distances (e.g., col. 1, line 49), except for disclosing the range or a specific size of the extensions.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use an extension and a corresponding shaft having a length of approximately between 6"-30", e.g., 8" for reaching a corresponding zone, since it has been held that changing shape, dependent on work-piece parameters, involves only routine skill in the art. *In re Stevens*, 101 US PQ 284(CCPA1954) and as suggested by Frenkel.

Applicant respectfully traverses. The present amendment amends claim 5, on which claim 6 depends that the ratchet extension s and ratchet extension shafts are separately removable. In contrast, Ser. No. 09/841,570 FRB211 October 15, 2004 Page 18

the reference Frenkel teaches a drive adaptor 14 (column 3, line 46) with an assembly of a housing 28 (column 3, line 62) containing a shaft 34.

Reconsideration of all outstanding rejections is respectfully requested.

All claims as presently submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,

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